

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Major (US 2003/0040916).

3. Regarding claim 1, Major discloses an animation creating apparatus comprising:
a voiced/silent decision section that decides whether speech is voiced or silent
and outputs a decision result in continuous values indicating degrees of voicedness;
(Page 2, paragraphs 0033-0035)

and an animation creating section that creates lip-sync animation using the
voiced decision result output from said voiced/silent decision section (Figure 4, and
page 2, paragraph 0036, lines 8-18).

4. Regarding claim 2, Major discloses the animation creating apparatus according
to claim 1, wherein said voiced/silent decision section outputs continuous values
indicating said degrees of voicedness (Figure 3, and page 2, paragraph 0036, lines 1-
8).

5. Regarding claim 3, Major discloses the animation creating apparatus according
to claim 1, wherein said animation creating section sequentially selects corresponding

images from a plurality of prestored images using the voiced/silent decision result output from said voiced/silent decision section and creates lip-sync animation (Figure 4 and page 2, paragraph 0037).

6. Regarding claim 4, Major discloses an animation creating method comprising:
 - a voiced/silent decision step of deciding whether speech is voiced or silent and outputting a decision result in continuous values indicating degrees of voicedness; (Figure 3, and page 2, paragraphs 0033-0035)
 - and an animation creating step of creating lip-sync animation using the voiced decision result output from said voiced/silent decision step (Figure 4, and page 2, paragraph 0036, lines 8-18).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mohamed et al. (US 2004/0068410 A1) Method and Apparatus for Providing an Animated Display with Translated Speech.

Cheiky et al. (US 7027054 B1) Do-it-yourself Photo Realistic Talking Head Creation System and Method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phi Hoang whose telephone number is 571-270-3417. The examiner can normally be reached on Mon-Fri Alternating Fridays, 7:30am-5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hai Tran can be reached on 571-272-7305. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phi Hoang/
Examiner, Art Unit 4178
November 26, 2007

/Hai Tran/
Supervisory Patent Examiner, Art Unit 4178